United Nations A/INF/55/5

General Assembly

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Fifty-fifth session

United Nations Administrative Tribunal

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly, for their information, the attached note from the United Nations Administrative Tribunal to the President of the General Assembly.

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Annex

Annual note by the United Nations Administrative Tribunal

1. At its third plenary session, held in Paris on 20 December 1951, the Administrative Tribunal decided to submit a note each year to the President of the General Assembly. In accordance with that decision, the following note is submitted in respect of the year 2000.

A. Appointment of members of the Tribunal by the General Assembly

2. At its 53rd plenary meeting, on 15 November 1999, the General Assembly, on the recommendation of the Fifth Committee (see A/54/544), appointed Mr. Mayer Gabay and Mr. Julio Barboza as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 2000.

B. Composition of the Tribunal during 2000

3. In 2000, the Tribunal was composed of the following members:

Mr. Hubert Thierry, President
Mr. Mayer Gabay, First Vice-President
Mr. Julio Barboza, Second Vice-President
Mr. Chittharanjan Felix Amerasinghe
Mr. Kevin Haugh
Mr. Victor Yenyi Olungu
Ms. Marsha A. Echols

C. Fifty-first plenary session

4. The Tribunal met in annual plenary session in New York on 22 November 2000, pursuant to article 5, paragraph 1, of its rules. All members were present.

D. Judgements delivered during 2000

5. In 2000, the Tribunal held two sessions, one in Geneva from 3 July to 4 August and one in New York from 23 October to 22 November. The composition of the panels and the corresponding judgements rendered are as follows:

Case No. 820: Mansour
Case No. 880: Mansour

(Mansour against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Request by former UNRWA staff member for revision of Judgement No. 894)
Judgement AT/DEC/970

New York, 13 to 17 November 2000

Mr. Gabay, presiding
Mr. Barboza
Mr. Haugh

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Case No. 828: Stepanenko

(Stepanenko against the Secretary General of the International Maritime Organization (IMO))
(Request by former IMO staff member for revision of Judgement No. 763)
Judgement AT/DEC/971

New York, 26 October to 17 November 2000

Mr. Gabay, presiding
Mr. Yenyi Olungu
Mr. Haugh

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Case No. 966: Afawubo

(Afawubo against the Secretary-General of the United Nations)
(Request by staff member of the Office of the United Nations High Commissioner for Refugees (UNHCR) for interpretation of Judgement No. 884)
Judgement AT/DEC/949

Geneva, 4 to 28 July 2000

Mr. Gabay, presiding
Mr. Haugh
Ms. Echols

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Case No. 975: Abbas

(Abbas against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Request by former UNRWA staff member for revision of Judgement No. 874)
Judgement AT/DEC/950

Geneva, 14 to 28 July 2000

Mr. Barboza, presiding
Mr. Yenyi Olungu
Ms. Echols

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Case No. 981: Abdulhadi

(Abdulhadi against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Request by former UNRWA staff member for interpretation of Judgement No. 877)
Judgement AT/DEC/972

New York, 2 to 17 November 2000

Mr. Barboza, presiding
Mr. Amerasinghe
Mr. Yenyi Olungu

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Case No. 987: Khalil

(Khalil against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Request by former UNRWA staff member for revision of Judgement No. 903)
Judgement AT/DEC/973

New York, 24 October to 17 November 2000

Mr. Gabay, presiding
Mr. Amerasinghe
Ms. Echols

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Case No. 1000: Apete

(Apete against the Secretary-General of the United Nations)
(Claim by former staff member of the United Nations Development Programme (UNDP) for rescission of decision to summarily dismiss him)
Judgement AT/DEC/963

Geneva, 7 July to 3 August 2000

Mr. Thierry, President
Mr. Barboza
Mr. Yenyi Olungu

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Case No. 1013: Al-Jassani

(Al-Jassani against the Secretary-General of the United Nations)
(Claim by former UNDP staff member for the recalculation of his termination indemnities)
Judgement AT/DEC/955

Geneva, 11 to 31 July 2000

Mr. Thierry, President
Mr. Yenyi Olungu
Ms. Echols

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Case No. 1017: Al-Jassani

(Al-Jassani against the Secretary-General of the United Nations)
(Claim by former UNDP staff member requesting an audit to ensure sum deducted from his salary was correctly calculated)
Judgement AT/DEC/956

Geneva, 11 to 31 July 2000

Mr. Thierry, President
Mr. Yenyi Olungu
Ms. Echols

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Case No. 1027: Rajan

(Rajan against the Secretary-General of the United Nations)
(Claim by staff member of the United Nations Children's Fund (UNICEF) for rescission of decision not to promote him to the budgeted (NO-C) level of the post he encumbered)
Judgement AT/DEC/969

Geneva, 6 July to 4 August 2000

Mr. Gabay, presiding
Mr. Amerasinghe
Ms. Echols

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Case No. 1028: Ogbewe

(Ogbewe against the Secretary-General of the United Nations)
(Claim by former staff member (UNCTAD/WTO) for rescission of the Respondent's decision to summarily dismiss him)
Judgement AT/DEC/967

New York, 9 to 22 November 1999
Geneva, 6 July to 3 August 2000

Mr. Gabay, presiding
Mr. Yenyi Olungu
Ms. Echols

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Case No. 1040: Hazou

(Hazou against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member that his fixed-term appointment should have been extended and that he should have been considered for conversion to a permanent appointment)
Judgement AT/DEC/946

Geneva, 10 to 28 July 2000

Mr. Gabay, presiding
Mr. Amerasinghe
Mr. Haugh

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Case No. 1041: Sokolov

(Sokolov against the United Nations Joint Staff Pension Board)
(Claim by former staff member of the World Health Organization (WHO), participant in the United Nations Joint Staff Pension Fund (UNJSPF), for rescission of decision not to consider invalid the 1982 transfer of his pension entitlements to the Social Security Fund of the former USSR under the Transfer Agreement between UNJSPF and the former USSR)
Judgement AT/DEC/957

Geneva, 10 to 31 July 2000

Mr. Thierry, President
Mr. Gabay
Mr. Haugh

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Case No. 1043: Al-Khatib

(Al-Khatib against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to terminate his appointment under area staff regulation 9.1)
Judgement AT/DEC/951

Geneva, 5 to 28 July 2000

Mr. Thierry, President
Mr. Barboza
Mr. Haugh

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Case No. 1044: Draz

(Draz against the Secretary-General of the United Nations)
(Claim by staff member of the United Nations Office at Geneva for rescission of decision not to select him for the post of Senior Interpreter (Arabic))
Judgement AT/DEC/958

Geneva, 12 to 31 July 2000

Mr. Thierry, President
Mr. Barboza
Mr. Yenyi Olungu

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Case No. 1046: Hashem

(Hashem against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by UNRWA staff member for compensation for losses incurred during shipment of household effects)
Judgement AT/DEC/964

Geneva, 4 July to 3 August 2000

Mr. Barboza, presiding
Mr. Amerasinghe
Ms. Echols

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Case No. 1048: Hafiz

(Hafiz against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of decision to terminate his appointment for unsatisfactory service)
Judgement AT/DEC/965

Geneva, 14 July to 3 August 2000

Mr. Gabay, presiding
Mr. Haugh
Ms. Echols

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Case No. 1049: Zhu

(Zhu against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of decision not to reinstate him after "forced" resignation)
Judgement AT/DEC/948

Geneva, 13 to 28 July 2000

Mr. Thierry, President
Mr. Gabay
Mr. Yenyi Olungu

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Case No. 1050: El-Haj

(El-Haj against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member that his Provident Fund entitlements should be recalculated using a different rate)
Judgement AT/DEC/966

Geneva, 4 July to 3 August 2000

Mr. Thierry, President
Mr. Amerasinghe
Mr. Yenyi Olungu

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Case No. 1051: Ayoub

(Ayoub against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member that he is entitled to receive retirement benefits upon termination for reason of redundancy)
Judgement AT/DEC/959

Geneva, 13 to 31 July 2000

Mr. Barboza, presiding
Mr. Yenyi Olungu
Ms. Echols

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Case No. 1055: Qassem

(Qassem against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to terminate his appointment in the interest of the Agency under area staff regulation 9.1)
Judgement AT/DEC/960

Geneva, 11 July to 2 August 2000

Mr. Barboza, presiding
Mr. Amerasinghe
Mr. Haugh

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Case No. 1057: Ibrahim

(Ibrahim against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to terminate his appointment for alleged fraud under area staff regulation 10.2 and area staff rule 110.1)
Judgement AT/DEC/947

Geneva, 10 to 28 July 2000

Mr. Thierry, President
Mr. Barboza
Mr. Haugh

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Case No. 1058: Hamad

(Hamad against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to terminate his appointment for unsatisfactory service during probationary period)
Judgement AT/DEC/952

Geneva, 12 to 28 July 2000

Mr. Barboza, presiding
Mr. Amerasinghe
Mr. Yenyi Olungu

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Case No. 1059: Salma

(Salma against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to terminate his appointment for unsatisfactory service during probationary period)
Judgement AT/DEC/961

Geneva, 12 July to 2 August 2000

Mr. Barboza, presiding
Mr. Amerasinghe
Mr. Yenyi Olungu

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Case No. 1060: Robbins

(Robbins against the Secretary-General of the United Nations)
(Claim by former United Nations staff member that the Administration failed to fully implement the recommendation of the Joint Appeals Board)
Judgement AT/DEC/974

New York, 25 October to 17 November 2000

Mr. Thierry, President
Mr. Amerasinghe
Ms. Echols

Case No. 1062: Ya'acoub

(Ya'acoub against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by UNRWA staff member for rescission of decision not to reimburse medical expenses. Claim that his separation benefits should be recalculated using a different exchange rate)
Judgement AT/DEC/953

Geneva, 17 to 28 July 2000

Mr. Thierry, President
Mr. Amerasinghe
Ms. Echols

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Case No. 1063: Bruer

(Bruer against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of decision not to renew his fixed-term contract)
Judgement AT/DEC/962

Geneva, 12 July to 2 August 2000

Mr. Gabay, presiding
Mr. Haugh
Ms. Echols

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Case No. 1064: Saaf (1)
Case No. 1065: Saaf (2)

(Saaf against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to transfer him to a lower-graded post (with grade protection) as a disguised disciplinary measure. Claim for rescission of decision to terminate his appointment for redundancy following "fictitious and illegal" abolition of post)
Judgement AT/DEC/954

Geneva, 7 to 28 July 2000

Mr. Gabay, presiding
Mr. Amerasinghe
Mr. Haugh

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Case No. 1066: Hernandez-Correa

(Hernandez-Correa against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member that the decision to terminate his permanent appointment due to abolition of post violated his rights)
Judgement AT/DEC/982

Geneva, 13 to 27 July 2000
New York, 8 to 21 November 2000

Mr. Gabay, presiding
Mr. Barboza
Mr. Yenyi Olungu

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Case No. 1067: Abu-Ali

(Abu-Ali against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to terminate his appointment for misconduct under area staff regulation 10.2 and area staff rule 110.1)
Judgement AT/DEC/984

Geneva, 5 July to 2 August 2000
New York, 31 October to 21 November 2000

Mr. Thierry, President
Mr. Barboza
Mr. Haugh

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Case No. 1069: Baldwin

(Baldwin against the United Nations Joint Staff Pension Board)
(Claim by former United Nations staff member for rescission of decision not to allow him to commute potential widow's benefit into lump sum)
Judgement AT/DEC/945

Geneva, 5 to 28 July 2000

Mr. Thierry, President
Mr. Amerasinghe
Ms. Echols

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Case No. 1071: Mezoui

(Mezoui against the Secretary-General of the United Nations)
(Claim by United Nations staff member that she was denied full and fair consideration for promotion to the D-1 level. Claim that the Administration failed to fully recognize and implement the findings and recommendations of the Joint Appeals Board)
Judgement AT/DEC/988

Geneva, 11 to 26 July 2000
New York, 24 October to 22 November 2000

Mr. Gabay, presiding
Mr. Barboza
Mr. Haugh

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Case No. 1072: Idriss

(Idriss against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to terminate his appointment for misconduct under area staff regulation 10.2)

Judgement AT/DEC/983

Geneva, 7 July to 2 August 2000
New York, 31 October to 21 November 2000

Mr. Thierry, President
Mr. Barboza
Mr. Haugh

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Case No. 1074: Abdul Rahim

(Abdul Rahim against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision not to re-employ her unless she reimbursed separation benefits)
Judgement AT/DEC/968

Geneva, 6 July to 3 August 2000

Mr. Thierry, President
Mr. Amerasinghe
Ms. Echols

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Case No. 1075: Masri

(Masri against the Secretary-General of the United Nations)
(Claim by former staff member of the United Nations Disengagement Observer Force (UNDOF) for rescission of decision not to renew his fixed-term appointment for his failure to reveal that his brother was also employed by UNDOF at the time of his engagement)
Judgement AT/DEC/981

New York, 30 October to 21 November 2000

Mr. Barboza, presiding
Mr. Amerasinghe
Mr. Haugh

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Case No. 1076: Rivola

(Rivola against the Secretary-General of the United Nations)
(Claim by former UNCTAD staff member for rescission of decision not to reclassify her post to the G-5 level)
Judgement AT/DEC/975

New York, 26 October to 17 November 2000

Mr. Thierry, President
Mr. Barboza
Mr. Yenyi Olungu

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Case No. 1078: Likuyani

(Likuyani against the Secretary-General of the United Nations)
(Claim by former staff member of the United Nations Environment Programme (UNEP) for rescission of decision to terminate his appointment for misconduct under staff rule 110.3 (a) (vii))
Judgement AT/DEC/976

New York, 31 October to 17 November 2000

Mr. Thierry, President
Mr. Gabay
Mr. Yenyi Olungu

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Case No. 1080: Johnston

(Johnston against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of decision to demote her to the P-4 level with no possibility of promotion for three years)
Judgement AT/DEC/977

New York, 2 to 17 November 2000

Mr. Thierry, President
Mr. Haugh
Ms. Echols

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Case No. 1082: Akkawi

(Akkawi against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member to be considered for re-employment on a priority basis)
Judgement AT/DEC/989

New York, 27 October to 22 November 2000

Mr. Thierry, President
Mr. Amerasinghe
Ms. Echols

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Case No. 1083: Edongo

(Edongo against the Secretary-General of the United Nations)
(Claim by former UNHCR staff member for rescission of decision to summarily dismiss him under staff regulation 10.2 for serious misconduct)
Judgement AT/DEC/987

New York, 25 October to 22 November 2000

Mr. Gabay, presiding
Mr. Amerasinghe
Mr. Haugh

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Case No. 1084: Steiner et al.

(Steiner et al. against the Secretary-General of the United Nations)
(Claim by UN staff members for rescission of decision to recover overpayments of mission subsistence allowance)
Judgement AT/DEC/986

New York, 30 October to 22 November 2000

Mr. Barboza, presiding
Mr. Amerasinghe
Ms. Echols

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Case No. 1086: Afawubo

(Afawubo against the Secretary-General of the United Nations)
(Claim by UNHCR staff member that he should have been promoted to the P-3 level and that he should have been granted a longer-fixed-term appointment)
Judgement AT/DEC/978

New York, 26 October to 17 November 2000

Mr. Thierry, President
Mr. Gabay
Ms. Echols

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Case No. 1089: Abu-Sirdaneh

(Abu-Sirdaneh against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)

(Claim by former UNRWA staff member for rescission of decision not to permit the withdrawal of his resignation)
Judgement AT/DEC/990

New York, 3 to 22 November 2000

Mr. Barboza, presiding
Mr. Yenyi Olungu
Ms. Echols

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Case No. 1090: Al-Hafiz

(Al-Hafiz against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East)
(Claim by former UNRWA staff member for rescission of decision to terminate his appointment under area staff regulation 9.1)
Judgement AT/DEC/979

New York, 1 to 17 November 2000

Mr. Barboza, presiding
Mr. Amerasinghe
Mr. Haugh

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Case No. 1091: Alam

(Alam against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of decision not to renew her fixed-term appointment)
Judgement AT/DEC/985

New York, 1 to 21 November 2000

Mr. Gabay, presiding
Mr. Yenyi Olungu
Ms. Echols

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Case No. 1092: Baldwin

(Baldwin against the Secretary-General of the United Nations)
(Claim by former UN staff member for rescission of decision not to renew his fixed-term appointment)
Judgement AT/DEC/980

New York, 30 October to 17 November 2000

Mr. Thierry, President
Mr. Gabay
Mr. Yenyi Olungu

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E. Schedule for 2001 sessions

6. Taking into consideration the number of cases so far submitted to it, the Tribunal decided that the first ordinary session, referred to in article 6, paragraph 2, of its rules, would be held in Geneva in June/July 2001, and that its second session would be held at Headquarters during the last quarter of 2001, pursuant to articles 5.1 and 6.2 of its rules.